

Federal Defenders
OF NEW YORK, INC.

Tamara Giwa
Executive Director

USDC SDNY
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January 7, 2025

VIA ECF

Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

**Re: United States v. Cornell Neilly
21 Cr. 94 (VEC)**

Dear Judge Caproni,

On July 19, 2022, this Court sentenced Mr. Neilly to 26 months' imprisonment (which was the equivalent of 48 months' imprisonment, accounting for time that was credited to his state, not federal, sentence) and three years of supervised release. See Dkt. No. 64. The Court set special conditions of his release, including that the first 12 months be spent in a halfway house, outpatient mental health and drug treatment, and various financial conditions. See id.

Mr. Neilly was released from prison in May 2025 and was placed in a halfway house on May 23. Since then, according to Probation Officer Giavonnii Foderingham, Mr. Neilly has been in compliance with the conditions of his supervised release. In addition to participating in the jobs program at the Center for Employment Opportunities (CEO), Mr. Neilly has continued to be a successful participant in the RISE (Re-entry through Intensive Supervision and Employment) Court overseen by District Judge Daniels and Magistrate Judge Cave.

We write to request that the Court remove the halfway house condition of supervised release now and replace it with a condition that he live in residence approved by the Probation Department. Mr. Neilly has seven months of success in the community to date and he has spent that time working on himself, and also reestablishing relationships in the community. He has an aunt and a girlfriend who have both offered him places to live. The bureaucracy of the halfway house can be difficult to navigate and has caused Mr. Neilly increased stress; he has repeatedly reached out to both undersigned counsel and Officer Foderingham for assistance. Given that he has been doing well, we believe he is ready to take the next step in his reentry work.

The Probation Department consents to this request. The Government by Assistant United States Attorney Brandon Harper has no objection to this request. Thank you for your consideration.

Respectfully submitted,

/s/

Sylvie Levine
Attorney for Cornell Neilly

Application GRANTED. Defendant's conditions of release are modified to no longer include the requirement that he remain in a halfway house until May 2025. Defendant must instead remain at a residence approved by Probation through the term of his supervised release.

SO ORDERED.



1/7/2025

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE